

Abuse, Neglect & Exploitation of At-Risk Adults

Presenter: Patricia "Pat" King, RN

Presentation to: GA SENATE AGING STUDY COMMITTEE

Date: November 19, 2012



Georgia Department of Human Services

Vision, Mission and Core Values

Vision

Stronger Families for a Stronger Georgia.

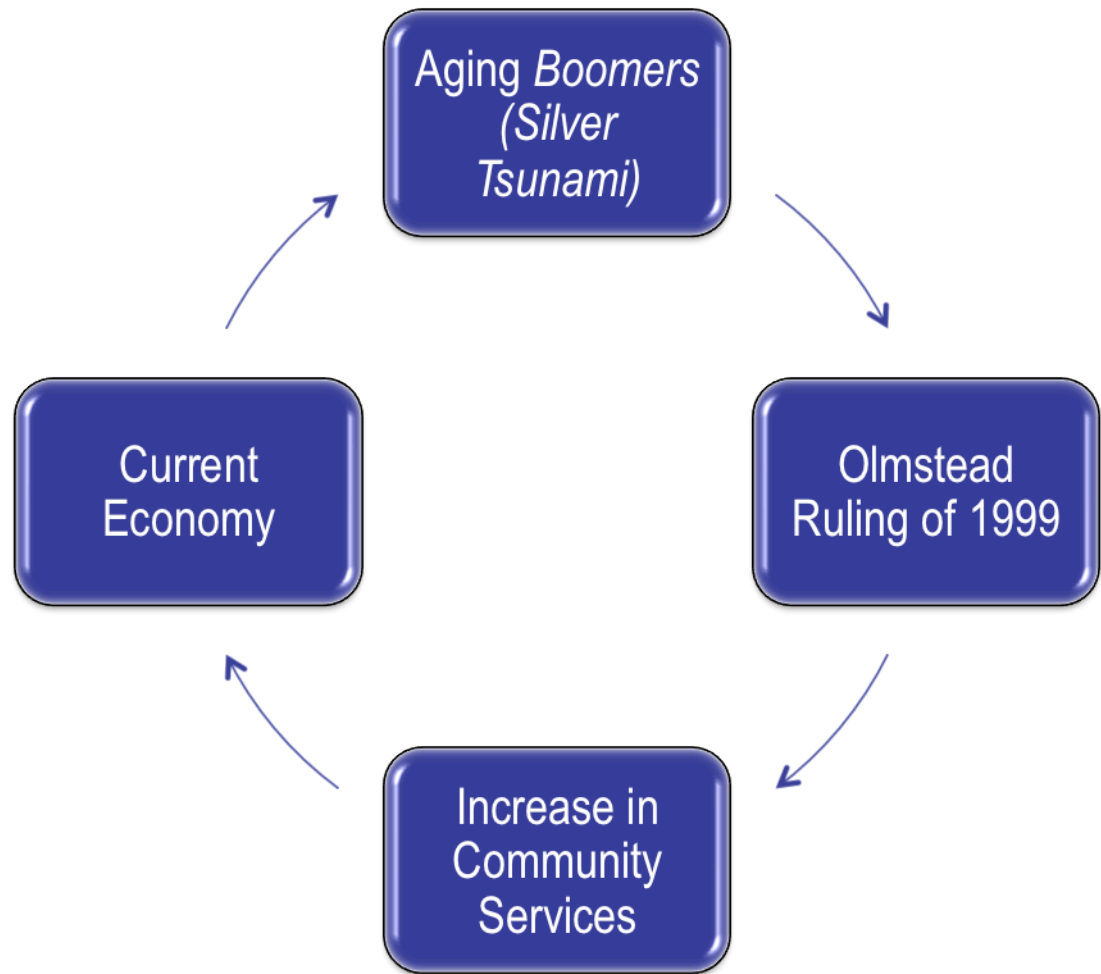
Mission

Strengthen Georgia by providing Individuals and Families access to services that promote self-sufficiency, independence, and protect Georgia's vulnerable children and adults.

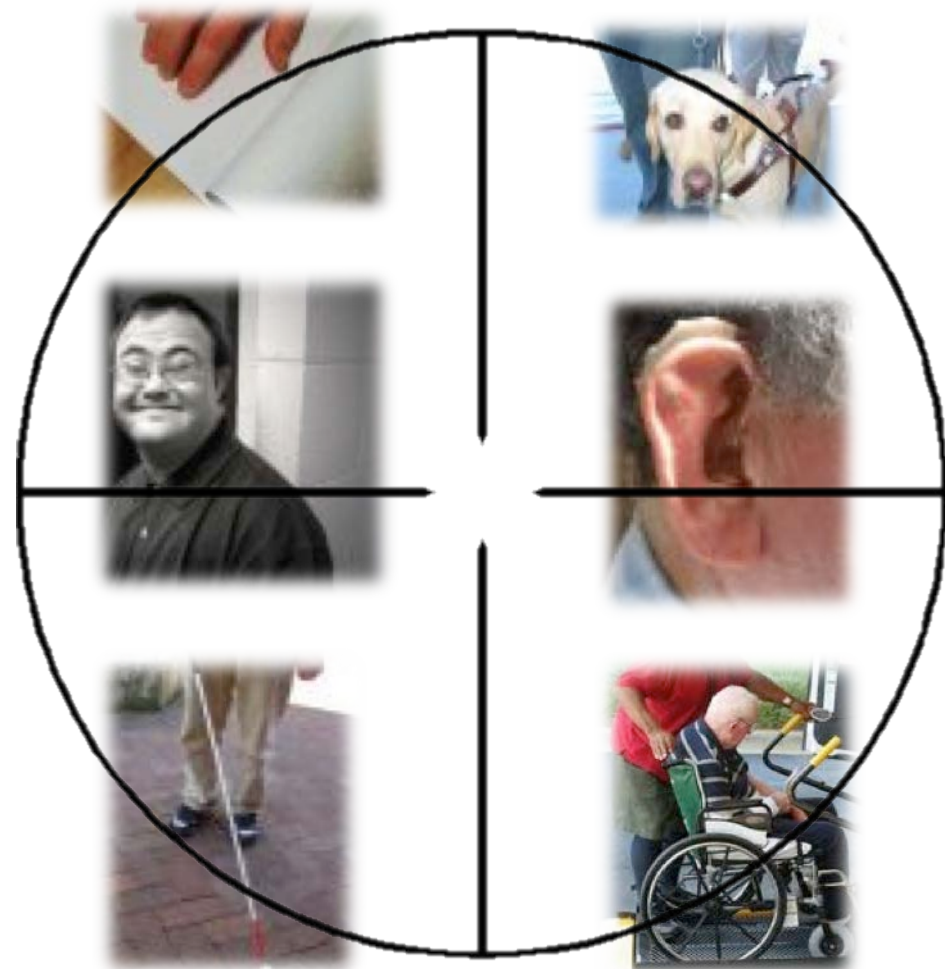
Core Values

- Provide access to resources that offer support and empower Georgians and their families.
- Deliver services professionally and treat all clients with dignity and respect. Manage business operations effectively and efficiently by aligning resources across the agency.
- Promote accountability, transparency and quality in all services we deliver and programs we administer.
- Develop our employees at all levels of the agency.

A Perfect Storm



A Perfect Storm



Target-Rich
Environment

Did You KNOW?



O.C.G.A. § 30-5-5

Requires the DAS Division Director to conduct or have conducted a prompt and thorough investigation to determine the need for protective services and to provide or arrange for protective services:

- Individuals > 18+, with any disability, not in a long-term care facility
- Individuals > 65+, not in a long-term care facility

DAS Division Director has assigned investigations and ongoing protective services to Adult Protective Services (APS).



Did You KNOW?



O.C.G.A. § 31-8-83

Long-Term Care Facility Resident Abuse Reporting Act

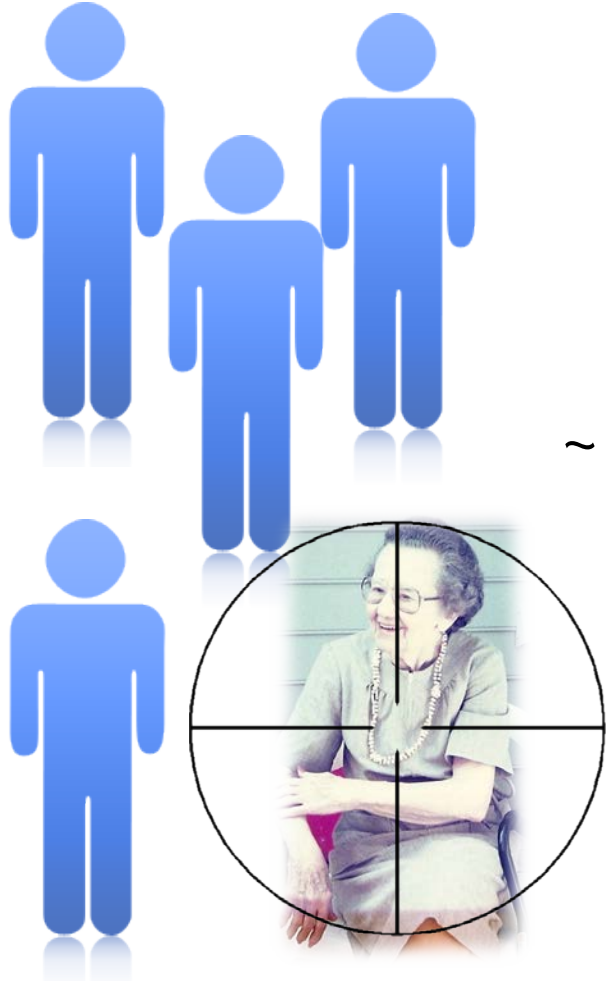
Requires that the Georgia Department of Community Health (DCH) shall immediately initiate an investigation for allegations of abuse of residents of Long-Term Care Facilities (LTCFs) after the receipt of any report. DCH “shall direct and conduct all investigations; however, it may delegate the conduct of investigations to local police authorities or other appropriate agencies.”

- Residents of Long-Term Care Facilities (LTCFs)
- LTCFs include “any skilled nursing home, intermediate care home, assisted living community, personal care home, or community living arrangement now or hereafter subject to regulation and licensure” by DCH.

DCH has assigned investigations to its Healthcare Facility Regulation Division.



Did You KNOW?



~ 1 in 5 Georgians are At-Risk Adults

US Census, 2010, Am. Community Survey 2010

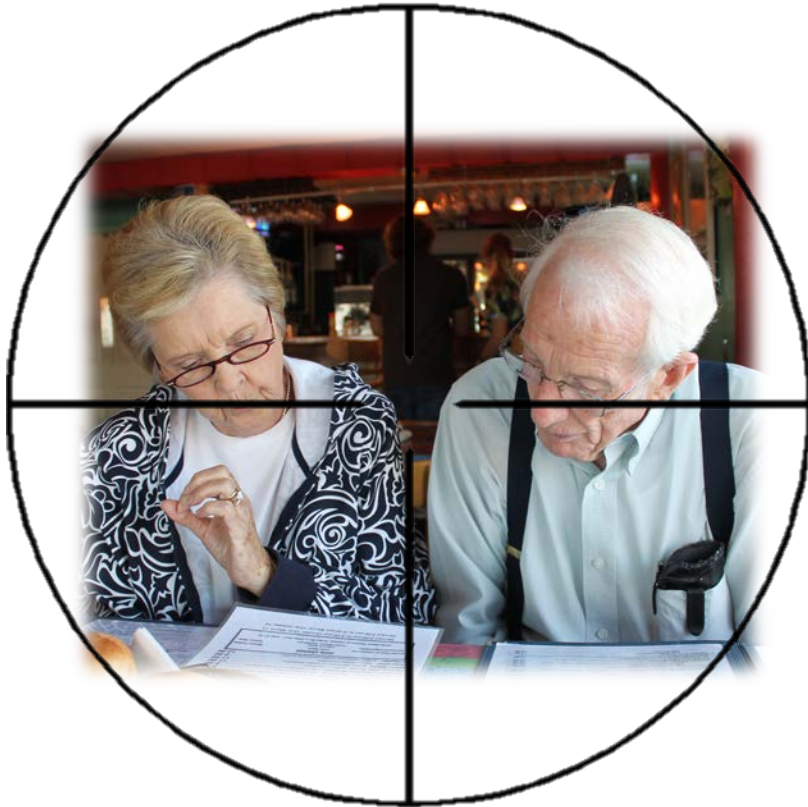
Did You KNOW?



~ 1 in 6 adults over the age of 65
have been victims
of financial crime

Washington Post, September 15, 2012

Did You KNOW?



Adults 65 and older
have net wealth

~ 47x Greater

than

Adults 35 & under

Pew Research Center, 2011

Did You KNOW?

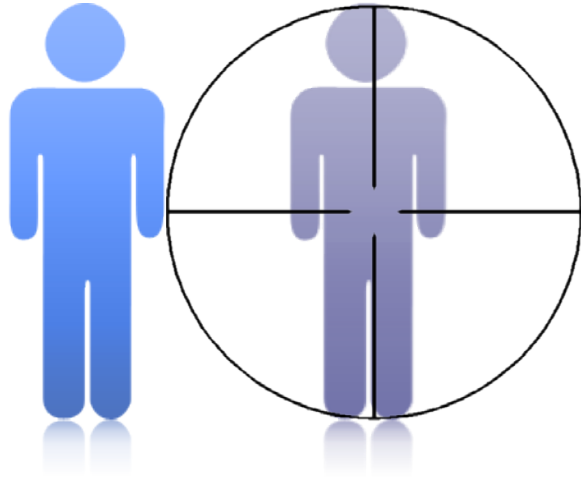


The Top 3 Financial Exploitation problems:

- 1) Theft or diversion of funds or property by **family members**
- 2) Theft or diversion of funds or property by **caregivers**
- 3) Scams perpetrated by **strangers**.

Washington Post September 15, 2012

Did You KNOW?



1 in 2 Adults with Alzheimer's
will experience abuse, neglect,
or exploitation.

M.T. Connolly in interview with USA Today. 11/10/11.

120,000 individuals > 65 with Alzheimer's in GA

Alzheimer's Association

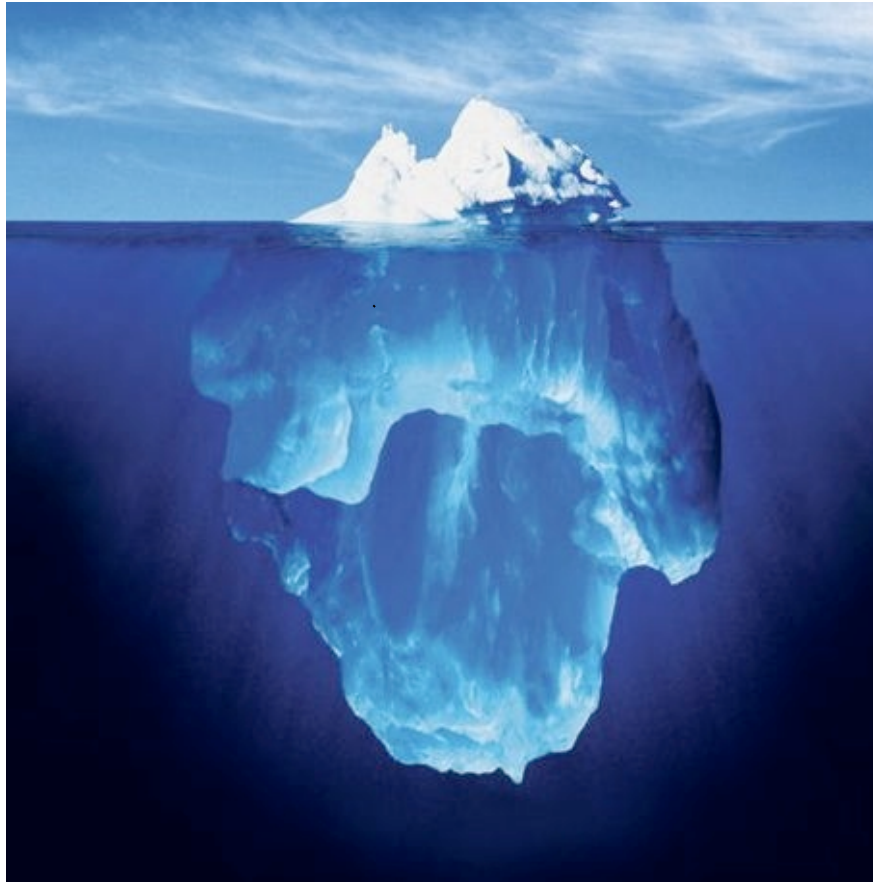
Did You KNOW?

19,000

The number of adults
with disabilities
living with caregivers > 65

GCDD Strategic Plan, 07/20/11

Did You KNOW?



1 in 23

For every **one** case of elder abuse

coming to the attention of a responsible entity. . .

another **twenty-three** cases never come to light.

Source: NYS Elder Abuse Prevalence Study; Weill Cornell Medical College, NYC Department for the Aging; Lifespan; (2011)

At-Risk Adult Crime Tactics (ACT)



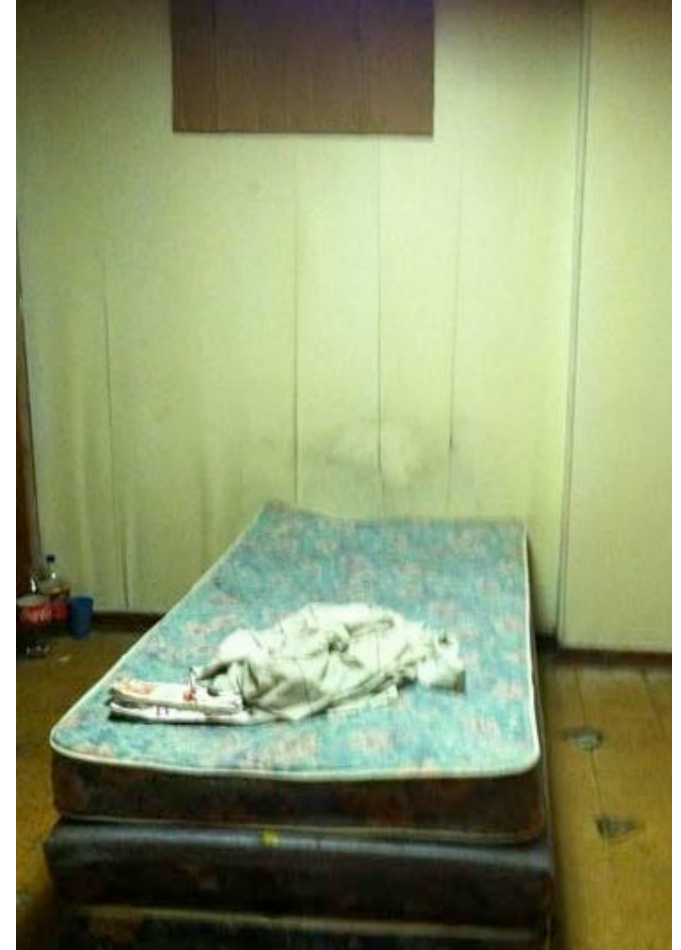
Launched in April 2011

- Two trainers
- 25 Courses in 12 Regions
- ~ 800 ACT Specialists

Same Story, Different Locations

“Boarders”

- Recruited from various locations
- Cognitive impairments, intellectual disabilities and mental illness
- Eligible for or receiving some type of benefits
- Required to turn over all assets



Same Story, Different Locations

“Providers”

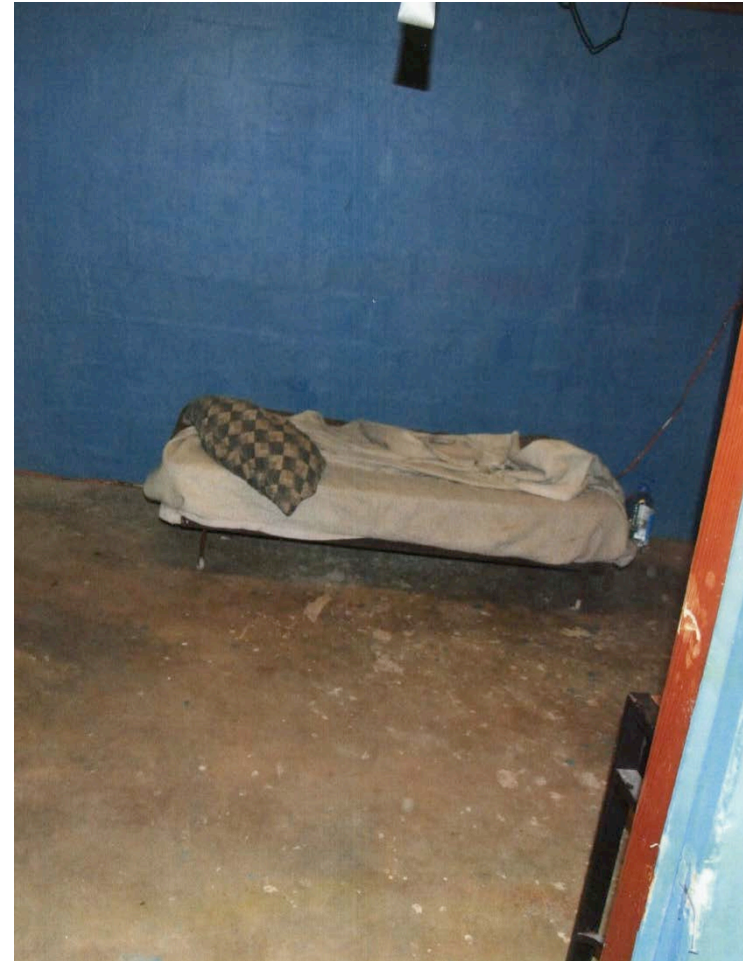
- Unlicensed entities
- Multiple properties
- Multi-jurisdictional
- Minimal, if any, services
- Scripting residents



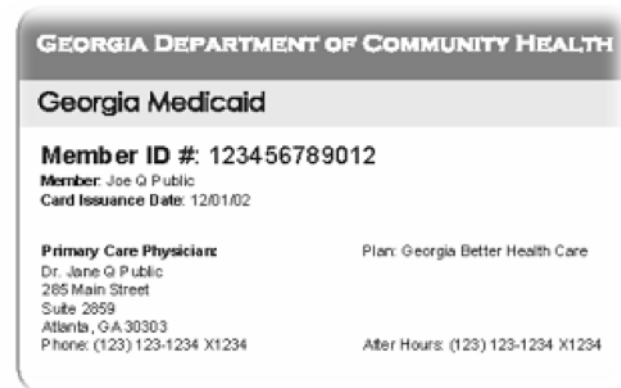
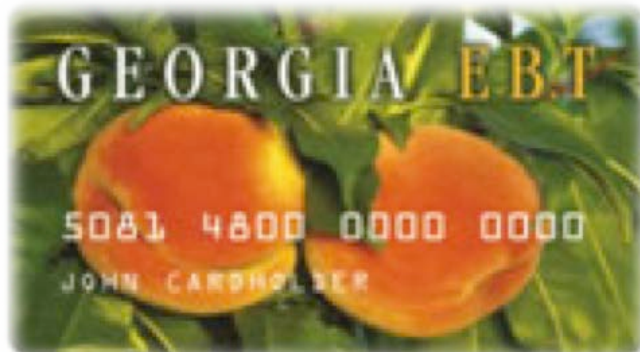
Same Story, Different Locations

Local Law Enforcement

- Frequent calls from residents
 - (no food, heat, meds)
- Frequent calls from owners/operators
 - (“make them take their meds,
 - take them somewhere, etc.”)
- Frequent calls from neighbors
 - (wandering neighborhood
 - begging for food, transportation, etc.)

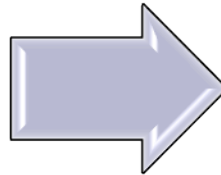


Human Trafficking in Monthly Benefits



Commodity

- An article of trade or commerce,
- A product not a service
- Something of use, advantage, or value



HTMB

- At-Risk Adults
- Adults with Disabilities
- Older Adults
 - Eligible for or receiving monthly benefits

Human Trafficking

The Act

- **RECRUITMENT**
 - Shelters
 - Psych Hospitals
 - Hospitals
 - Churches
 - Facilities
 - Day Centers
 - On-line

The Means

- **PROMISES**
 - benefits
 - services
 - Not delivered

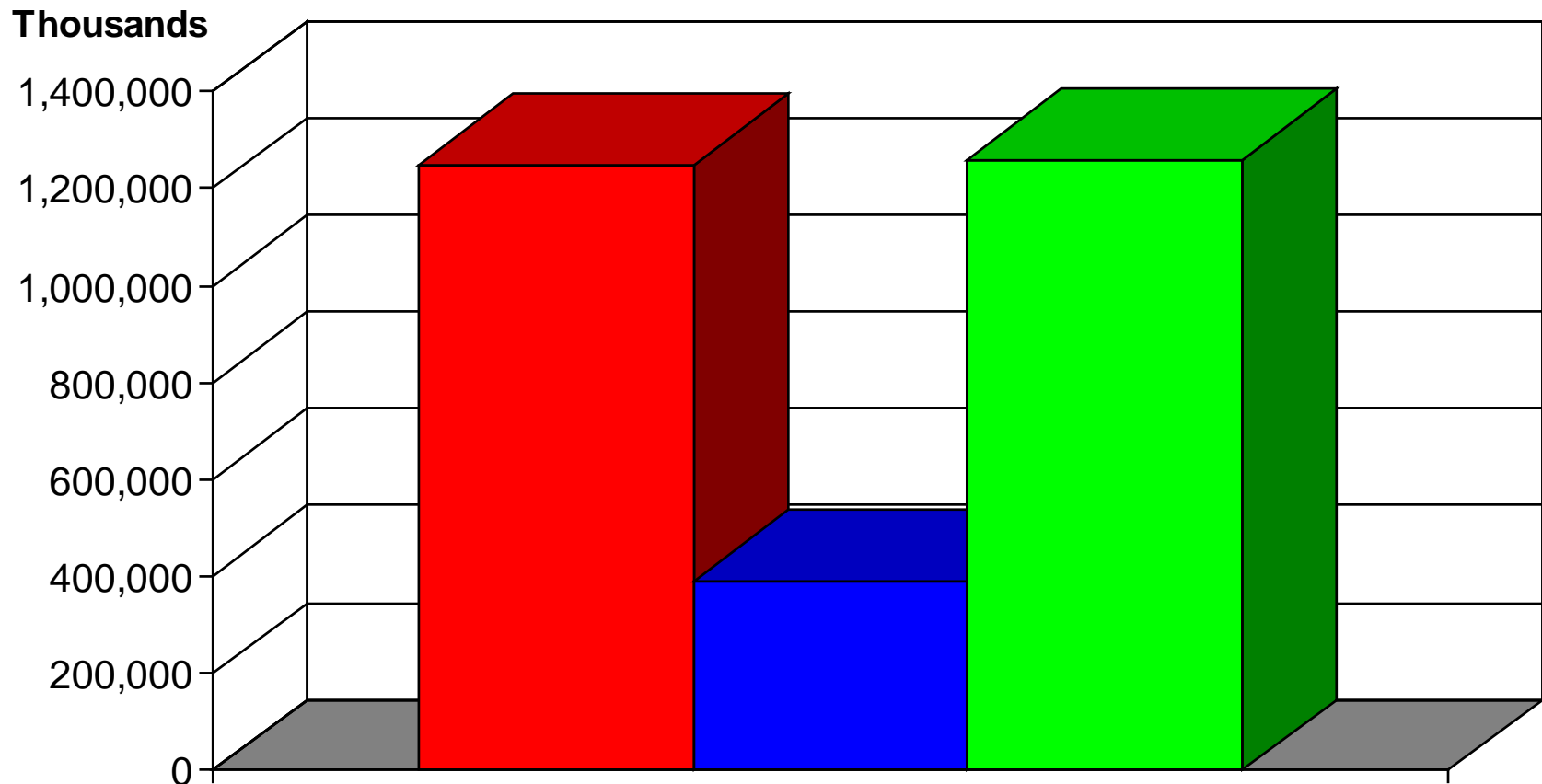
The Purpose

- **MONTHLY INCOME**
 - Food stamps,
 - Social Security
 - Supplemental Security
 - Medicaid
 - Vet's Benefits

Findings

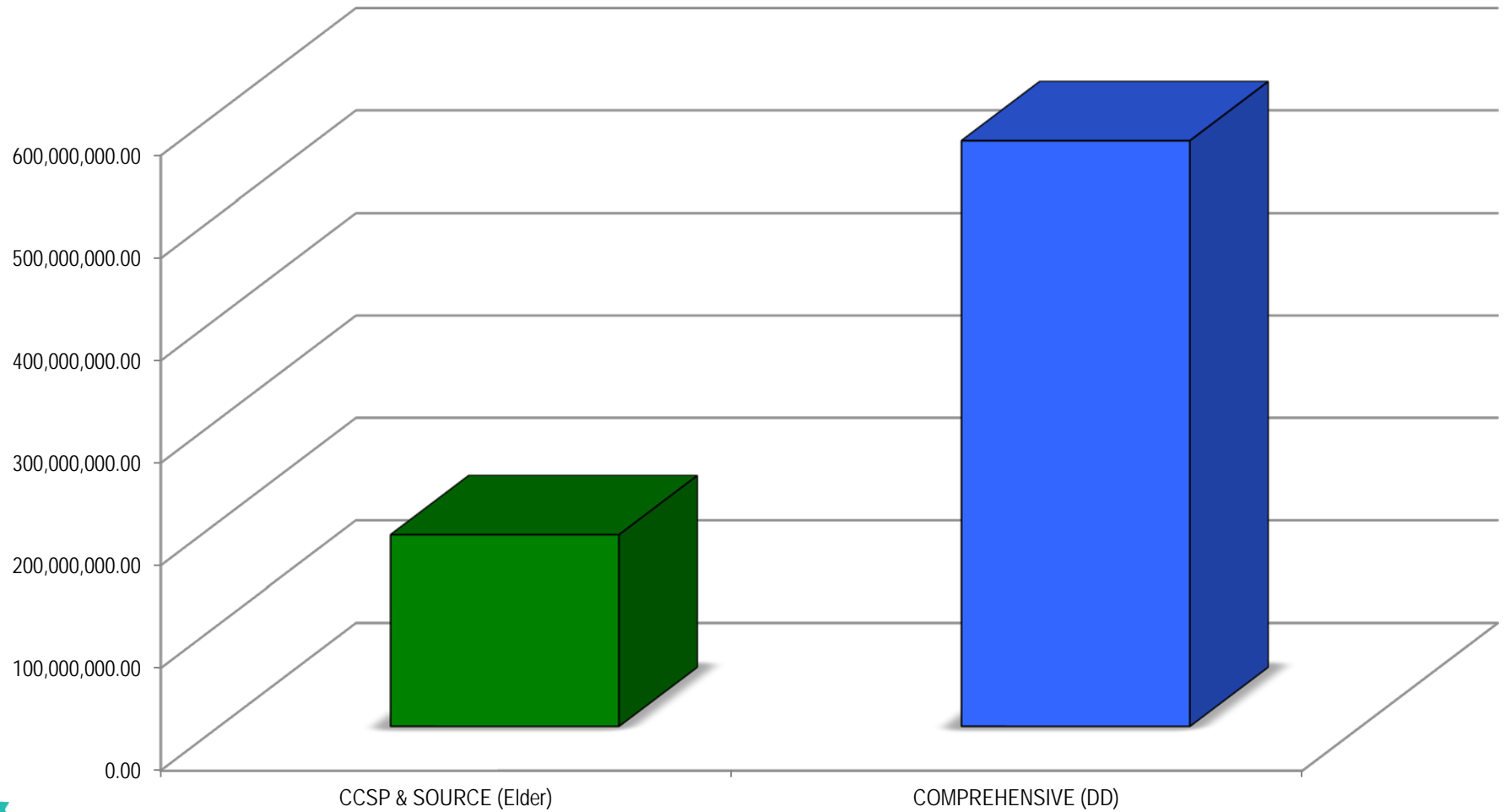
- **180 addresses across state (unlicensed homes)**
 - “Caregivers” become representative payees
 - Referrals from churches and hospitals
 - Residents required to turn over all benefits
 - Abuse & Neglect of residents
 - Restraints
 - Assaults
 - No Supervision
 - Inadequate food, heating, cooling
 - Utilities off
 - Utilities in residents’ name (without resident knowledge)
 - Horrendous living conditions

Potential Earnings



■ Food Stamps ■ Medicaid ABD ■ Social Security

Potential Earnings



Current Response

- **Driven by funding stream / agency authority**
- **Referred from one agency to next**
- **Lacking coordination**
- **Lack of intelligence/data/information sharing**
- **While Residents:**
 - Moved frequently
 - Go without supervision and essential services
 - Suffer abuse, neglect & exploitation

Getting GBI Director Keenan Involved

Results (Ongoing):

- PSA with Governor Deal and Mr. Keenan
- Abuse, Neglect & Exploitation (ANE) Working Group created
- Local, State and Federal Agencies
- Obstacles identified
- Initiatives started
 - Roll Call Video production
 - Law Enforcement Protocol development
 - Prosecutor's Manual Update
 - Data sharing
- Networking

Obstacles Identified by ANE Work Group

1. Emergency shelter
 - (Priority issue in 1993 Senate Elder Abuse Taskforce).
2. Lacking cabinet level entity to facilitate integrated approach
3. Training (1st and 2nd responders, criminal justice)
4. Preservation of victims' testimony prior to trial.
5. Agency policies restricting data/information sharing between agencies
6. HIPAA often used as excuse not to provide information

Obstacles Identified by ANE Work Group

7. Frequent moving of residents in unlicensed facilities
8. Lax pre-licensing background checks for personal care home owners
9. Obtaining financial records often difficult, untimely and expensive
10. PCH owners licensed individually but may have multiple locations
11. Current GA law requires all mandated reporters to report to non-emergency responders

Recommendations of ANE Work Group

1. Emergency shelter/housing (HFR rules/DCH waivers)
2. Cabinet level lead entity with authority to facilitate integration of system to improve response to abuse, neglect and exploitation of at-risk adults.
3. Training (public and professionals)
4. Reports to law enforcement immediately
5. Expedite investigation and prosecutions (before death &/or deterioration of cognition).

Recommendations of ANE Work Group

5. Evidence preservation procedures should be developed and codified.
6. Statutory changes to provide law enforcement the ability to expeditiously and at low or no cost, obtain financial records related to abuse and exploitation.
7. Funding resources developed to support efforts to train, educate, and investigate related issues. (DCH/HFR civil penalties money)

Questions?



Contact Information:

Pat King, RN

GA Department of Human Services

Division of Aging Services

Forensic Special Investigations Unit

psking@dhr.state.ga.us

404-657-1197 (direct line)